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PTO/SB/30 (08-03)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
 Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Application Number	10/088,070
Filing Date	March 8, 2003
First Named Inventor	Gerber, Ernst
Art Unit	3722
Examiner Name	Cadogan, Erica E.
Attorney Docket Number	753-11 PCT/US/RCE

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on

- ii. ☒ Other Amendment After Final filed October 3, 2003 ✓

- b. ☐ Enclosed

- i. ☐ Amendment/Reply

- iii. ☐

- Information Disclosure Statement (IDS)

- ii. ☐ Affidavit(s)/Declaration(s)

- iv. ☐

- Other

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

- b. ☐ Other

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-2461 ✓

- i. ☐ RCE fee required under 37 CFR 1.17(e)

- ii. ☐ Extension of time fee (37 CFR 1.138 and 1.17)

- iii. ☐ Other

- b. ☒ Check in the amount of \$ 365.00 enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Ludomir A. Budzyn

Registration No. (Attorney/Agent) 40,540

Signature Ludomir Budzyn

Date November 5, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type) Amanda F. Shaw

Signature Amanda F. Shaw

Date November 5, 2003

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Stephen Marcus  
 Special Program Examiner  
 4/1/04

Duplicate accepted  
 Mail date: November 10, 2003  
 (Monday)

DATE: March 29, 2004FACSIMILE TRANSMISSION COVER SHEET

TO: Examiner Erica Cadugan/GAU: 3722  
USPTO/USSN: 10/088,770

FAX NO.: ~~703-308-6395~~ 703-746-7230

FROM: Lou A. Budzyn, Esq.

SENDER: Marguerite J. Mullin

HOFFMANN & BARON, LLP  
ATTORNEYS AT LAW

NY OFFICE

6900 JERICHO TURNPIKE  
BOULEVARD  
SYOSSET, N.Y. 11791

TELEPHONE: 516-822-3550  
TELECOPIER: 516-822-3582

NJ OFFICE

1055 PARSIPPANY  
PARSIPPANY, N.J. 07054

TELEPHONE: 973-331-1700  
TELECOPIER: 973-331-1717

NUMBER OF PAGES TO FOLLOW: 2

Examiner Cadugan:

The attached Request for Continued Examination and postcard are true and correct copies of the originals filed with the USPTO on November 10, 2003.

*Ludomir A. Budzyn*  
Ludomir A. Budzyn  
ATTY. REG. NO. 40,540

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